

ORDINANCE NO. 11489

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 7301 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, be and the same hereby is amended so as to rezone:

A tract of land located at 7301 Shallowford Road. The northern 150 feet of a property located at 7301 Shallowford Road being part of Lot 1, Block A, J. L. Jenkins Subdivision, Plat Book 10, Page 49, ROHC, being part of the property described in Deed Book 2221, Page 416, ROHC. Tax Map 149H-A-020(part).

from R-1 Residential Zone to R-4 Special Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the following conditions:

1. No apartments or multi-family uses;
2. All existing easements are retained.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage, as provided by law.

PASSED on Third and Final Reading

_____ November 18 _____, 2003.

S/ _____
CHAIRPERSON

APPROVED: X DISAPPROVED: _____

DATE: _____ November 24 _____, 2003

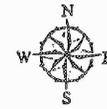
S/ _____
MAYOR

Reviewed By: s/ _____
David Eichenthal

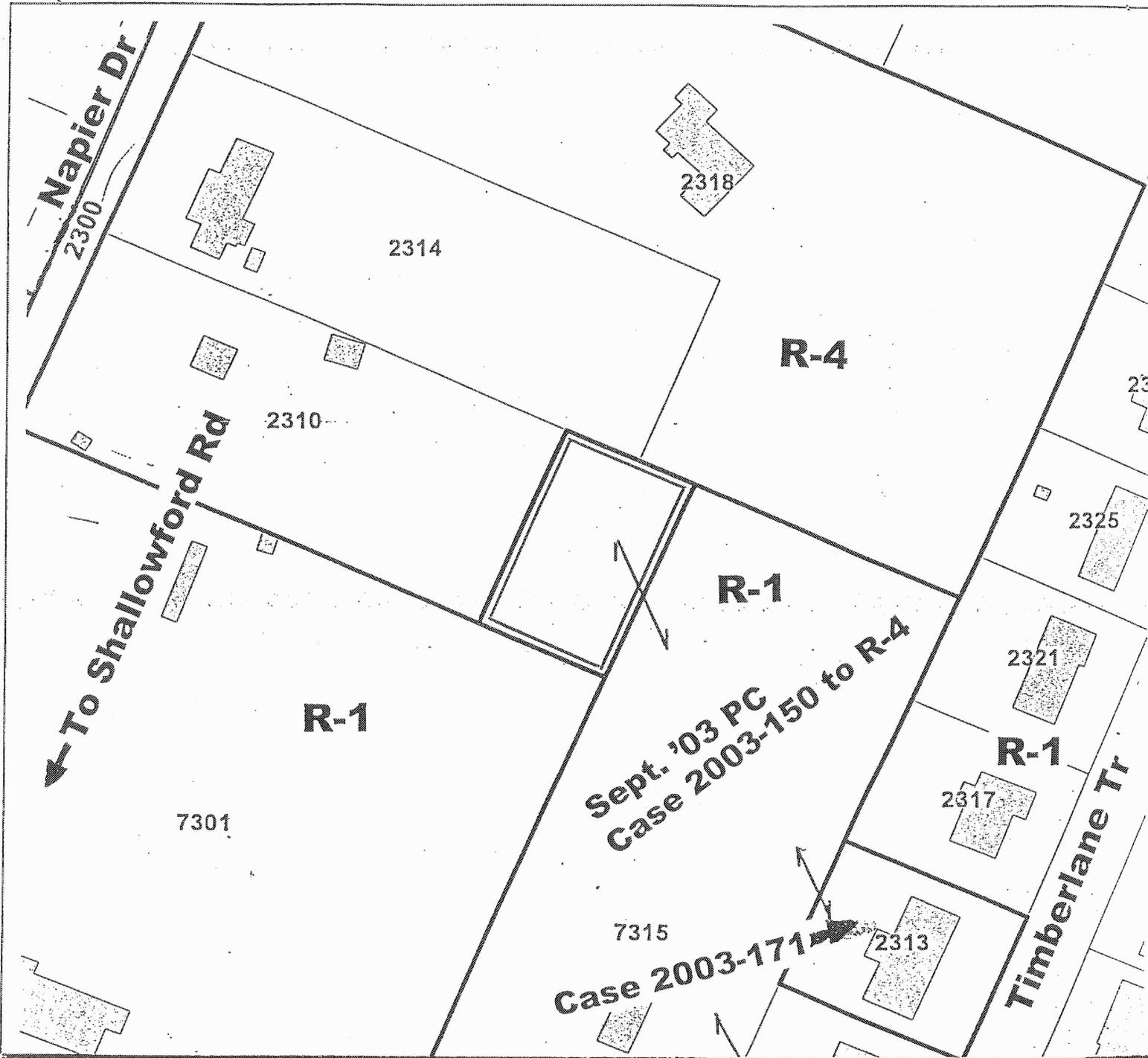
AKS/pm



CHATTANOOGA
CASE NO: 2003-0172
PC MEETING DATE: 10/13/2003
FROM: R-1
TO: R-4



1 in. = 100.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2003-172: Approve, subject to:

- 1) No apartments or multi-family uses;
- 2) A traffic study to be done by applicant for review by City Traffic Engineer in conjunction with Case 2003-150

MAP ENGINEERS

11/04/03

Mr. John Van Winkle
City of Chattanooga Traffic Engineer
Development Resource Center
1250 Market Street
Suite 3030
Chattanooga, TN 37402

RE: Napier Drive to Timberlane Trail Development
MAP Proj. No.: 2002-233

Meeting Attendees:

- Mr. Jack Benson - District Councilman
- Mr. Bill McDonald - Public Works Director
- Mr. Phillip Lynn - City Engineer
- Mr. John Van Winkle - City of Chattanooga Traffic Engineer
- Mr. Ken DeFoor - Developer
- Mr. Mike Price - MAP Engineers

Dear Mr. Van Winkle,

Pursuant to our meeting today regarding the above referenced development, I wish to summarize the decisions reached with respect to the responsibilities of roadway improvements between the City of Chattanooga and the developer, Mr. Ken DeFoor.

All proposed improvements to the roadway network are outlined in the Traffic Impact Analysis entitled *Napier Drive Office Development*, dated September 2003, by Kimley Horn and Associates. The meeting determined the responsibilities for the City of Chattanooga and Mr. DeFoor with respect to the initial development and as development occurs in the future. My understanding of the responsibilities of each party is as follows:

Initial Development (50,000 +/- SF Building)

Developer Responsibilities:

- Design and install traffic signal at intersection of Timberlane Trail and Shallowford Road. Signal shall tie into existing signalized network in area.
- Developer shall dedicate to City of Chattanooga the necessary right of way along Shallowford Road and Timberlane Trail to accommodate the proposed roadway improvements as outlined in the Traffic Impact Analysis.
- Timberlane Trail to be improved to be three lanes at the intersection with Shallowford Road, as outlined in the Traffic Study.
- Contribute up to 50% of the costs to procure the additional right of way from New Hope Presbyterian Church required to construct two additional lanes of traffic on Shallowford Road.
- Provide Preliminary drawings to the City of Chattanooga outlining the new lane configurations and right-of-way necessary to be obtained from New Hope Presbyterian Church, between Timberlane Trail and Napier Drive.

City of Chattanooga Responsibilities:

- Begin negotiations and obtain right-of-way required from New Hope Presbyterian Church.

7380 Applegate Lane • Chattanooga, TN 37421 • (423) 855-6544 • Fax (423) 485-8110
1255 Canton Street, Suite A • Roswell, GA 30075 • (770) 998-5763 • Fax (770) 643-4855

As Future Development occurs, referred to as Phase II Development, by Mr. DeFoor, or others, the additional roadway improvements will need to be implemented once 56% of the project, as presently proposed, is constructed. Based upon a letter from Mr. Bill Kervin with Kimley-Horn and Associates, dated 10/28/2003, this would essentially occur when a 200-unit hotel and 70,000 square feet of office space are developed. Another equivalent scenario would be the construction of a 100-unit hotel and 120,000 square feet of office space. These two scenarios generate essentially the same amount of traffic. Either of these combinations or some other hybrid with the equivalent trips generated therefore will constitute when the developer is to initiate his improvements, as outlined below.

Phase II Development Improvement Responsibilities are as follows:

Developer Responsibilities:

- Construct or contribute the necessary funding to construct a single lane of traffic from Timberlane Trail to Napier Drive.
- Complete improvements to Napier Drive as outlined in the Traffic Study.

City of Chattanooga Responsibilities:

- Construct second lane of traffic from the proposed driveway for this development onto Shallowford Road to Napier Drive.
- Implement at the City's discretion the other improvements outlined in the report.

Should you have any questions regarding this information, please contact me at 855-5554. I trust this accurately depicts the conclusions reached in this meeting.

Sincerely,

Michael A. Price, PE

Cc: Mr. Jack Benson - District Councilman
Mr. Bill McDonald - Public Works Director
Mr. Phillip Lynn - City Engineer
Mr. Ken DeFoor - Developer
Mr. Bill Kervin - Kimley Horn & Associates